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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,057	07/16/2003	Hsiao Ming Kuo	LA-7455-102	8817
167	7590	09/07/2005	EXAMINER	
FULBRIGHT AND JAWORSKI LLP 555 S. FLOWER STREET, 41ST FLOOR LOS ANGELES, CA 90071			PIZIALI, JEFFREY J	
			ART UNIT	PAPER NUMBER
			2673	

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/621,057	Applicant(s) KUO, HSIAO MING	
	Examiner Jeff Piziali	Art Unit 2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character not mentioned in the description: **110b** (see Fig. 1). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: On page 1, third line from the bottom, "***needs***" should be changed to the singular "***need.***" Appropriate correction is required.

Claim Objections

4. Claim 1 is objected to because of the following informalities: "***the battery***" recited in the last line of the claim should be changed to "***the at least one battery***" (to correspond with line 6 of the claim). Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 1 recites the limitation "***the locking state***" in line 13. There is insufficient antecedent basis for this limitation in the claim.

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8. Claim 1 is further rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are the "*electronic components required for the computer mouse*" recited in lines 4-5. One having ordinary skill in the art at the time of invention would be unable to determine from present claim language what exact electronic components are "*required*" for the computer mouse. The applicant is advised to either recite specific electronic components (such as *a transmitting/receiving antenna, carrier wave generator, antenna driver amplifier, detector, comparator, and decoder*), or to simply continue using the more generic "*electronic components*" claim language without the presently included vague and indefinite "*required for the computer mouse*" terminology.

9. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are between "*an end*" as recited in claim 5, lines 2-3 and "*an end*" as previously recited in claim 4, lines 2-3. It would be unclear to one having ordinary skill in the art at the time of invention whether the claims are referring to the same "*end*" or separate and distinct "*ends*."

10. Claims 2-4 and 6-9 are is rejected under 35 U.S.C. 112, second paragraph, as being dependent upon rejected base claims.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Sasselli et al (US 6,411,281 B1).

Regarding claim 1, Sasselli discloses a housing assembly of a computer mouse [Fig. 1; 10], comprising: a base [Fig. 1; 20]; a housing [Fig. 1; 18] adapted to be coupled to the base from the bottom of the housing so as to form a space in-between for receiving electronic components [Fig. 5; 52] required for the computer mouse, the housing being formed with a battery compartment [Fig. 1; 24] for receiving at least one battery [Fig. 1; 22] as a power source to the computer mouse and a locking portion [Fig. 1; 30, 32], and a cover formed with at least a front piece [Fig. 1; 12, 14, 16], an actuating piece [Fig. 1; 26], and a rear piece [Fig. 3; 40] which are coupled atop to the housing respectively, wherein the rear piece is formed with a locking member [Fig. 3; 40] for being locked with the locking portion of the housing and wherein the actuating piece is provided with an actuating member [Fig. 1; 26, 34] such that when the actuating piece is downwardly pushed by an external force, the actuating member is capable of releasing the locking state between the locking portion of the housing and the locking member of the rear piece, and the rear piece is detached from the housing to expose the battery compartment for replacement of the battery (see Column 2, Lines 30-67).

Regarding claim 2, Sasselli discloses the locking portion of the housing is formed with a locking hole [Fig. 7; 62], a coupling hole [Figs. 1-3; 28], and a downward protrusion [Fig. 3; 38] associated with the coupling hole (see Column 3, Lines 40-43).

Regarding claim 3, Sasselli discloses the actuating member of the actuating piece is inserted into the locking hole of the locking portion of the housing for connecting the actuating piece with the housing (see Column 2, Lines 30-67).

Regarding claim 4, Sasselli discloses the locking member of the rear piece is coupled to the coupling hole of the locking portion of the housing and formed at an end thereof with an extending portion [Fig. 3; at 40] that is adapted to be engaged with the downward protrusion of the housing to lock the locking portion of the housing with the locking member of the rear piece (see Column 2, Lines 30-67).

Regarding claim 5, Sasselli discloses the extending portion of the locking member, coupled to the coupling hole of the housing, is formed with a groove [Fig. 3; at 40] at an end thereof corresponding in position to the actuating member of the actuating piece inserted into the locking hole of the housing (see Column 2, Lines 30-67).

Regarding claim 6, Sasselli discloses when the actuating piece is downwardly pushed by the external force, the actuating member of the actuating piece is moved downwardly through the

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locking hole to press on the groove of the locking member of the rear piece, so as to deform [inherent to operation] the extending portion of the locking member and release the engagement between the extending portion and the downward protrusion of the housing, thereby making the locking member of the rear piece detached from the locking portion of the housing (see Column 2, Lines 30-67 and Column 3, Lines 40-43).

Regarding claim 7, Sasselli discloses the housing further comprises a protruded portion [Fig. 5; 60] connected with the locking portion, the protruded portion covering the space where the electronic components are received to prevent the electronic components from being exposed (see Column 3, Lines 6-35).

Regarding claim 8, Sasselli discloses the front piece has at least one hole [Fig. 1; at 16] that is coupled to at least one coupling pillar [Fig. 5; to the left of 50] formed on the housing to thereby connect the front piece with the housing (see Column 2, Lines 30-36 and Column 3, Lines 6-13).

Regarding claim 9, Sasselli discloses the actuating piece further comprises at least one pillar [Fig. 1; 34] that is coupled to at least one hole [Fig. 7; 62] formed in the locking portion of the housing for attaching the actuating piece to the housing (see Column 2, Lines 45-67 and Column 3, Lines 6-13).

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Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yanagi (US 2002/0171631 A1), Wang (US 6,909,421 B2), Su (US 6,650,316 B2), Derocher et al (US 6,476,795 B1), Lu (US 6,225,981 B1), Rudell et al (US 6,200,219 B1), Ishigaki (US 6,072,470 A), Strand (US 6,031,522 A), Junod et al (US 5,854,621 A), Tarulli et al (US 5,851,623 A), and Lin (US 5,790,098 A) are cited to further evidence the state of the art pertaining to computer mouse housing assemblies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J.P.

29 August 2005



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